

REPORT

ON

NATIVE PAPERS

FOR THE

Week ending the 19th November 1892.

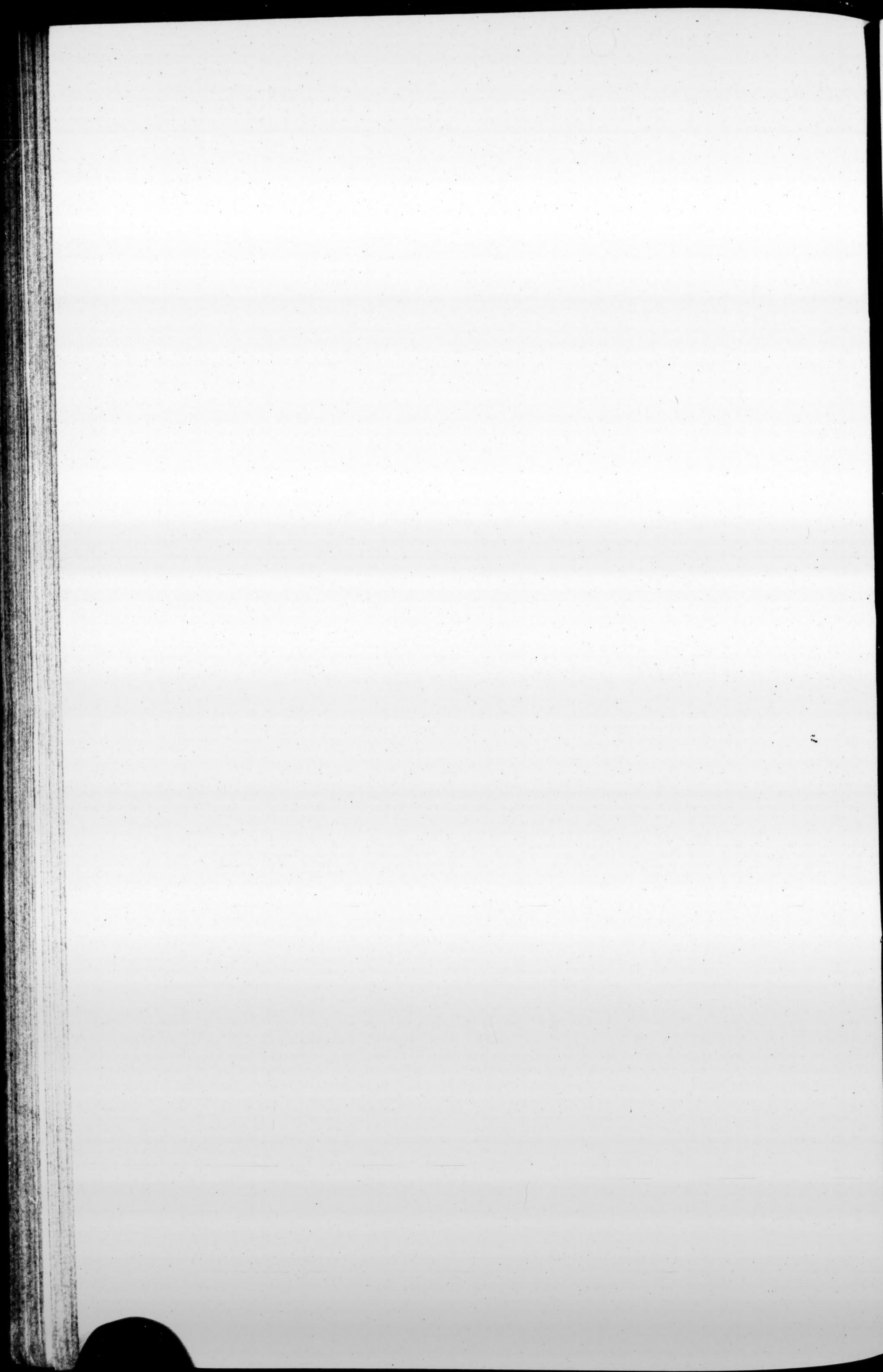
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LIST OF NEWSPAPERS.

| No. | Names of newspapers. | Place of publication. | Reported number of subscribers. | Dates of papers received and examined for the week. |
|-----------------------------|--|-----------------------|---------------------------------|---|
| BENGALI. | | | | |
| <i>Fortnightly.</i> | | | | |
| 1 | " Ahmadi " | ... | Tangail, Mymensingh | 600 |
| 2 | " Bankura Darpan " | ... | Bankura | .... |
| 3 | " Grámvási " | ... | Ramkristopur, Howrah | 1,000 |
| 4 | " Kaliyuga " | ... | Calcutta | .... |
| 5 | " Kasipur Nivási " | ... | Kasipur, Barisál | 280 |
| 6 | " Navamihir " | ... | Ghatail, Mymensingh | 600 |
| 7 | " Sadar-o-Mufassal " | ... | Tahirpur, Rajshahi | .... |
| 8 | " Ulubaria Darpan " | ... | Ulubaria | 700 |
| <i>Tri-monthly.</i> | | | | |
| 9 | " Hitakari " | ... | Tangail Mymensingh | 800 |
| <i>Weekly.</i> | | | | |
| 10 | " Bangavási " | ... | Calcutta | 20,000 |
| 11 | " Banganvási " | ... | Ditto | 8,000 |
| 12 | " Burdwán Sanjivani " | ... | Burdwan | 335 |
| 13 | " Chárvártá " | ... | Sherpur, Mymensingh | 400 |
| 14 | " Dacca Prakásh " | ... | Dacca | 2,200 |
| 15 | " Education Gazette " | ... | Hooghly | 825 |
| 16 | " Hindu Ranjiká " | ... | Boalia, Rajshahi | 212 |
| 17 | " Hitavádi " | ... | Calcutta | .... |
| 18 | " Murshidábád Pratinidhi " | ... | Berhampore | .... |
| 19 | " Navayuga " | ... | Calcutta | 500 |
| 20 | " Prakriti " | ... | Ditto | .... |
| 21 | " Pratikár " | ... | Berhampore | 609 |
| 22 | " Prithivi " | ... | Calcutta | .... |
| 23 | " Rangpur Dikprakásh " | ... | Kakinia, Rangpur | .... |
| 24 | " Sahachar " | ... | Calcutta | 800-1,000 |
| 25 | " Sahayogi " | ... | Barisál | 342 |
| 26 | " Sakti " | ... | Dacca | .... |
| 27 | " Samáj-o-Sáhitya " | ... | Garibpore, Nadia | 1,000 |
| 28 | " Samaya " | ... | Calcutta | 3,000 |
| 29 | " Sanjivani " | ... | Ditto | 4,000 |
| 30 | " Sansodhini " | ... | Chittagong | .... |
| 31 | " Sáraswat Patra " | .. | Dacca | 300 |
| 32 | " Som Prakásh " | ... | Calcutta | 600 |
| 33 | " Srimanta Sadagar " | ... | Ditto | .... |
| 34 | " Sudhákar " | ... | Ditto | 3,100 |
| 35 | " Sulabh Samáchar " | ... | Ditto | .... |
| <i>Daily.</i> | | | | |
| 36 | " Banga Vidyá Prakáshiká " | ... | Calcutta | 500 |
| 37 | " Bengal Exchange Gazette " | ... | Ditto | .... |
| 38 | " Dainik-o-Samáchár Chandriká " | ... | Ditto | 1,000 |
| 39 | " Samvád Prabhákar " | ... | Ditto | 1,500 |
| 40 | " Samvád Purnachandrodaya " | ... | Ditto | 300 |
| 41 | " Sulabh Dainik " | ... | Ditto | .... |
| ENGLISH AND BENGALI. | | | | |
| <i>Weekly.</i> | | | | |
| 42 | " Dacca Gazette " | ... | Dacca | .... |
| HINDI. | | | | |
| <i>Monthly</i> | | | | |
| 43 | " Darjeeling Mission ke Másik Samáchár Patrika." | Darjeeling | ... | 50 |
| 44 | " Kshatriya Patriká " | Patna | ... | 250 |
| <i>Weekly.</i> | | | | |
| 45 | " Aryávarta " | Calcutta | ... | 750 |
| 46 | " Bihar Bandhu " | Bankipore | ... | 500 |
| 47 | " Bhárat Mitra " | Calcutta | ... | 1,200 |
| 48 | " Champaran Chandrika " | Bettiah | ... | 350 |
| 49 | " Desí Vyápári " | Calcutta | .... | .... |
| 50 | " Hindi Bangavási " | Ditto | ... | .... |
| 51 | " Sár Sudhánidhi " | Ditto | ... | 500 |
| 52 | " Uchit Baktá " | Ditto | ... | 4,500 |

| No. | Names of newspapers. | Place of publication. | Reported number of subscribers. | Date of papers received and examined for the week. |
|-----------------------------------|----------------------------------|-----------------------|---------------------------------|--|
| URDU. | | | | |
| <i>Weekly.</i> | | | | |
| 63 | " Al Punch " | Bankipore | ..... | 7th and 14th November 1892. |
| 64 | " Anis " | Patna | ..... |  |
| 65 | " Calcutta Punch " | Calcutta | ..... |  |
| 66 | " Darussaltanat and Urdu Guide " | Ditto | 340 | 11th November 1892. |
| 67 | " General and Gauhariasfi " | Ditto | ..... | 4th ditto. |
| 68 | " Mehre Monawar " | Muzaffarpur | ..... |  |
| 69 | " Raisul-Akhbari-Murshidabad " | Murshidabad | 150 | |
| 70 | " Setare Hind " | Arrah | ..... |  |
| 71 | " Shokh " | Monghyr | ..... |  |
| URIYA. | | | | |
| <i>Monthly.</i> | | | | |
| 62 | " Asha " | Cuttack | 165 | |
| 63 | " Echo " | Ditto | ..... |  |
| 64 | " Pradip " | Ditto | ..... |  |
| 65 | " Samyabadi " | Ditto | ..... |  |
| 66 | " Taraka and Subhavártá " | Ditto | ..... |  |
| 67 | " Utkalpravá " | Baripada | ..... |  |
| <i>Weekly.</i> | | | | |
| 68 | " Dipaka " | Cuttack | ..... |  |
| 69 | " Samvad Váhika " | Balasore | 200 | |
| 70 | " Uriya and Navasamvád " | Ditto | 420 | |
| 71 | " Utkal Dípiká " | Cuttack | 420 | |
| PAPERS PUBLISHED IN ASSAM. | | | | |
| BENGALI. | | | | |
| <i>Fortnightly.</i> | | | | |
| 72 | " Paridarshak " | Sylhet | 480 | |
| 73 | " Silchar " | Silchar | 600 | |
| <i>Weekly.</i> | | | | |
| 74 | " Srihatta Mihir " | Sylhet | 332 | |



I.—FOREIGN POLITICS.

The *Sanjivani*, of the 12th November, asks—What does the Government of India intend to do, now that the Amir has refused to receive an English mission till the pacification of the Hazarajat, which has not, as the Amir says, been yet accomplished?

SANJIVANI,
Nov. 12th, 1892.

II.—HOME ADMINISTRATION.

(a)—Police.

The Ulubaria river police. 2. The *Ulubaria Darpan*, of the 30th October, has the following :—

Some time ago the Ulubaria river police got the Magistrate of Alipore to pass an order prohibiting all *saltees* (small wooden canoes) from entering the river at Ulubaria. Since that order the saltee-wallas have been keeping their *saltees* at the mouth of the Ulubaria canal. But as the canal was beyond the jurisdiction of the Ulubaria river police, its officers could not levy black-mail on the saltee-wallas. The jamadar of the police therefore tried to make an arrangement with the saltee-wallas, but the saltee-wallas declined to come to terms with them. This enraged the jamadar very much, and he made up his mind to be revenged on the saltee-wallas. On the 30th Asvin last the jamadar, dressed in plain clothes, accosted some saltee-wallas if they would bring their *saltees* for hire. Two saltee-wallas accordingly brought their *saltees* near the police-station and came ashore, when they were surrounded by the policemen and mercilessly beaten. It was dead of night, and there was no one near. The cry of the poor saltee-wallas roused some shopkeepers in the bazar, and the jamadar ceased beating. He then went upon the *saltees* and began to belabour the men. Not satisfied with this outrage, he arrested some saltee-wallas on the charge of having brought their *saltees* within the river. The men were tortured by the jamadar for confession, and were fined Rs. 2 each. It is said that the jamadar paid the fine from his own pocket. The Magistrate of the 24-Parganas is asked to keep a strict eye over the officers of the river police.

ULUBARIA DARPAN,
Oct. 30th, 1892.

3. The same paper has heard some complaints against the Bagnan Police in the police. Those who have been oppressed by the Ulubaria subdivision. officers of the police dare not complain against them publicly. But unless they muster courage to do so, Government cannot take any action in the matter. The District Superintendent of Police has been informed of the oppressive conduct of some of the officers, but as he has not yet taken any steps in the matter, a reminder ought to be addressed to him.

If it be true that a chaukidar of some village has lost his post for not having given evidence against people with whom the police is at enmity, the matter should be brought to the notice of the Magistrate. And if no redress comes from the Magistrate, the Lieutenant-Governor's attention should be drawn to the matter. If the police secretly tries to bring any one into trouble, that man ought to apply to the Superintendent or the Inspector.

ULUBARIA DARPAN.

4. Referring to the letter, portions of which were published in the *Sanjivani* of the 5th November last, (see Report on Native

SANJIVANI,
Nov. 12th, 1892.

The letter in the *Sanjivani*. Papers for week ending 12th November, paragraph 3), the *Sanjivani*, of the 12th November, says that those who write such letters injure not only themselves but also their country. And the men, who, whilst trying to instigate school-boys in this way, keep their own personality concealed, must be regarded as wretches who are enemies of their country. If anybody has any grievance let him ventilate it by constitutional means ; but an attempt to take another man's life in secret, out of private grudge, is the most sinful action that can be committed on earth ; and the men who are capable of such attempts are the pest of their country and should incur the hatred of their fellow-men.

The writer could not last time give any information as to where the letter came from. But he has since discovered from the post-mark on another copy of the letter that it was posted in the Writers' Buildings post-box. The Commissioner of Police should lose no time in investigating the matter, no matter whether the writer of the letter meant earnestness or not.

(b)—Working of the Courts.

HITAVADI,
Oct. 25th, 1892.

Corrupt practices in the Kushtia Munsif's court.

5. The *Hitakari*, of the 25th October, has come to know of the following corrupt practices among the amla of the Munsif's court at Kushtia, in the Nadia district :—

- (1) A postage fee of four annas was exacted from every legal practitioner of Kushtia for forwarding his application for license to the District Judge, though these applications ought to have been sent at the public expense. This fee was collected since the year 1890, and was only discontinued on representation by the present Munsif. Now, how has this fee been disbursed? And, supposing that the legal practitioners could be charged postage, four annas was certainly too high a charge for sending a single application by post. It is very probable that the applications used to be forwarded to the Judge collectively, in which case the postage on each application must have been much smaller. How, then, was the surplus spent?
- (2) The Nazir of the Munsif's court levies a black-mail of 25 per cent. on the undisbursed diet-allowances of witnesses when he returns the same to the parties who deposited them.
- (3) The Serishtadar of the court refuses to compare any account book with its copy, submitted with the plaint, unless he receives some illegal gratification from the muhurrir of the pleader who filed the plaint.

SOM PRAKASH,
Nov. 7th, 1892.

6. The *Som Prakash*, of the 7th November, has the following in connection with the recent orders of Government regarding jury trial :—

The Lieutenant-Governor said on a previous occasion that a large number of acquittals in the sessions cases seemed to indicate that either the Judges or the jury did not do their duty properly. Perhaps this dissatisfaction at the results of the sessions trials has had something to do with His Honour's order restricting jury trial. But it should be borne in mind that the jury cannot convict without evidence, and it is not therefore proper to hold them responsible for the acquittals at the sessions trials. The police often chalans cases without sufficient enquiry, and the Magistrates often commit cases to the sessions with the object of lightening their own duties. This is the reason why so many cases break down at the sessions. And the Lieutenant-Governor himself is of this opinion. For he has himself said that the chief reason why so many offenders escape at the sessions is that the Magistrates do not exercise proper care in committing cases to the sessions. And according to the Officiating Inspector-General of Police, the failure of the sessions cases is due to their neglect by the police, and to the indifferent manner in which the investigating officers do their duty. This being the case, how can the Lieutenant-Governor blame the jury for faults that are really faults of the police and the Magistrate? In the last Administration Report the Lieutenant-Governor referred to a case in which a woman who stood charged with child-murder was acquitted by a jury, whose verdict, however, was set aside by the High Court. But to condemn the system of jury trial for a solitary case of this nature is hardly proper.

BURDWAN SANJIVANI,
Nov. 8th, 1892.

7. Referring to the Government order regarding trial by jury, the *Burdwan Sanjivani*, of the 8th November, says that the large percentage of acquittals by juries is due to innocent persons being often sent up by the police, and to the getting up of false evidence by the police. It would not therefore be proper, if jurors have not condemned prisoners in every case that has been heard by them, to denounce the jury system itself. So long as the police is not radically improved, and barristers and pleaders are allowed freely to cross-examine witnesses, jury trial cannot secure better results than it has done. Let Government reform the police; secure the best men as jurors; and see that only true evidence is adduced before the jury, and the results of jury trial will become more satisfactory. It

Trial by jury.

is sheer injustice to deprive the people of their privilege, before trying the effects of these reforms.

The writer wonders why competent jurors could not be secured in Burdwan, Hooghly, and the 24-Parganas districts, which have supplied members to the High Court Bench and the Legislative Councils. It is to be hoped that Government will reconsider its order.

The jury question.

8. The *Sahachar*, of the 9th November, has the following:—

The Councillors of Lord Lansdowne had made it up in their minds that there was not a sufficient number of prisoners in the Indian jails. That at least 95 per cent. of those that were sent up for trial by the police were not convicted was, in their eyes, a danger that ought to be as much guarded against as the apprehended invasion of India by Russia. The question next arose—Who was to be taken to task for this extremely unsatisfactory state of things? The Civilian-Judges and Magistrates were brother officers, and it would be a shame if they were held responsible for the evil. The officers who were taken to task were, therefore, the Deputy Magistrates—poor helpless things who serve as scapegoats in all matters. And these poor officers, afraid of losing their posts, quietly took the censure. And as a result of this policy, the District Magistrates are now examining the records of every criminal case, and dictating sentences to Deputy Magistrates. Whoever has anything to do with the Magistrates' courts knows what those courts are like now. The people can no longer say, as they have said so long—"We are British subjects; judicial officers possess independence under the British rule, and not even the Sovereign or the Prime Minister can dictate to the lowest judicial functionary the sentence which he is to pass." There was, however, jury trial still in the sessions courts. But Sir Charles Elliott has now, with one stroke of his pen, abolished even that in cases relating to offences against the human body and the public peace, just as Lord Lytton passed the Gagging Act at a single sitting of the Viceregal Council. Those who introduced jury trial in some of the Bengal districts in 1862, that is to say, shortly after the suppression of the mutiny, were, it would appear, for the most part fools, not knowing anything about the country. A North-Western Provinces civilian has now discovered—all of a sudden, and after 30 years—that the jury system is unsuited to the chief and most enlightened Indian province. We do not certainly lay the entire blame for the abolition of jury trial at the door of Sir Charles Elliott. Though Sir Charles has been the principal hand in this matter, the scheme for this attack on the jury system was framed on the heights of Simla, and the Civilian-Judges of the High Court have given it as their opinion that the jury system has worked mischief. The High Court enjoys the confidence of the people; but it would not have enjoyed all their confidence if it had been composed only of Civilian Judges. A Civilian-Judge is only the old animal in a new shape. These preparations made, the block was set up, and Sir Charles Elliott played the rôle of the *kamar* (or executioner who kills animals at *pujas*), and slew the jury system. This is the reply that has been given to the demand made by the Congress for an extension of the jury system. But there is one difficulty still. Will the Mussulmans too be affected by the jury system, or will Syud Ahmed be made to send up a representation, saying that India does not appreciate the jury system and does not want it.

People in power can do almost everything. But there is one thing they cannot do. They cannot change or influence men's minds. It is the chief glory of British rule that justice is dispensed under it without distinction of colour, creed, or rank. But it is a proper subject of enquiry whether the people believe that the Magistrates administer justice in this way. The Sessions Judges once enjoyed the confidence of the public, but do not do so now. For they have no knowledge of the language of the people, though they pass examinations in it; and they are equally ignorant of the people's manners and customs. Unlimited power in the hands of such men is an obstacle in the way of a satisfactory administration of justice. Before 1862 the Sessions Judges did not possess unlimited power. A maulavi then used to sit with the Judge, and in the event of disagreement between the Judge and the maulavi, cases were referred to the Nizamut, just as cases are now referred to the High Court in

SAHACHAR,
Nov. 9th, 1892.

the event of disagreement between the Judge and the jury. So the barrier set up against the unlimited power of the Sessions Judge ever since the establishment of British rule has now ceased to exist, and an accused person will henceforward be entirely at the mercy of that officer. Again, Sessions Judges were formerly selected from among District Magistrates whose blood had cooled down with age; but beardless Joint-Magistrates are now appointed Sessions Judges. And so the protection that people enjoyed under Lord Cornwallis does not exist in 1892.

The administrative authorities complain that the jury system is working great mischief. Well, speaking of the execution of Marshal Ney, Colonel Napier indignantly exclaims:—"The man who had fought five hundred battles for France was executed as a rebel and traitor! Not even the bitterest enemy of the House of Bourbon could prove by a more convincing example that the interests of the country and those of that House were not identical." And is it not something like a similar conflict of interests that Government is showing in its treatment of this jury question? Government is running counter to the wishes of the people in this matter. Government is treating its interests in this connection as if those interests did not agree with the interests of the people, and this is not sound statesmanship. Government thinks that it has made a display of its power. But the people know that, even in absolute Austria and Russia, there is jury trial in murder cases and others. He is not a dutiful son of England who sets off Russia to greater advantage than England in the matter of the administration of justice. The rulers know that we are prepared to do anything and everything which they may require us to do for repelling a Russian invasion. And it is for them to say whether it will be to their credit if the people of this country give preference to Russian over British justice.

Is it not the duty of the Government to see that the people are not unjustly punished? Or is every person sent up by the police to be punished, as people are perforce beginning to believe? Does not Government know what a thing the police is—and what sort of men the Judges, too, are? Is it not, we ask with sorrow, a fact that, in cases of disagreement between the Judge and the jury, it is the decision of the jury that is in most cases upheld by the High Court? Has Government considered what will be the effect of vesting these Judges with unlimitted powers? The people's feelings about the Magistrates are well known. Should the Sessions Judges, too, be made to be thought of in the same way? Should the impression be allowed to gain ground in men's minds that the Government whom they regard as their *ma-bap*, is dissatisfied if a large number of people are not punished? Government's laws and orders cannot change the current of people's thoughts and feelings. Government should know, what is an undeniable truth, namely, that the native pleaders are better educated and know more law than the Judges. Government has the power to do what it likes. But it has done a very wrong thing by abolishing jury trial. A political blunder of this kind has not been committed for a long time. But we are not afraid. What the Congress wants will have to be granted ultimately. Government should know that history bears witness to the fact that, wherever there has been a dispute between the Government and the people on a question of right, it is the latter that have always triumphed in the end.

It has been asked, why Sir Charles Elliott and Mr. Ward do not venture to deprive the Europeans of jury trial. The answer is simple. They do not venture to do so, because they know that, if they made the attempt, they would have to fly from the country. Where is the despot that has shown himself a really brave man. The Czar does not venture to sleep in the same room for two days together, and the last days of Oliver Cromwell were marked by craveness of the same kind.

HINDU RANJIKĀ,
Nov. 9th, 1892.

9. The *Hindu Ranjikā*, of the 9th November, says that Sir Charles Elliott is not the man to listen to the protests that

Trial by jury.
are being made both by the Native and the Anglo-Indian Press against the recent orders regarding jury trial. His Honour is insulting public opinion at every step, and the public have no other course left them but to bear these insults quietly and in silence.

From the figures given by the *Hindoo Patriot*, it appears that the jury in Bengal failed to arrive at correct verdicts in only 67 cases out of a total of 2,537 cases heard by them during the eight years from 1883 to 1890. This result cannot be regarded as unsatisfactory. Considering the ignorance of the manners and customs of the people of this country, which is displayed by young English Judges, the natives may well feel alarmed to see their life, property, and honour placed entirely in their hands. The system of trying criminal cases with the help of assessors is a farce. The jury system was the only real safeguard which criminals had against the doing of injustice to them by the Judges. But it is clear from Sir Charles Elliott's attitude towards the jury system that he does not wish to see justice done to accused persons. He wants to adopt in Bengal a rigorous system of administration which can suit only an ill-educated country. The people of Bengal really feel themselves helpless under this ruler.

Some are for petitioning the Viceroy, some for petitioning the Secretary of State, and some, again, for petitioning the British Parliament itself against this action of Sir Charles Elliott. But the Viceroy's attitude towards the people is not one that can be regarded as kindly; and the Secretary of State, surrounded as he is by Anglo-Indian advisers, may not have the power of doing the people of India the good he may wish to do. As for the Parliament—who does not know that Indian topics have a strange soporific power over its members? There is, therefore, no quarter to which the Indians can now look for help.

10. The *Bihar Bandhu*, of the 10th November, says that the English rulers of India should not boast that they were the first to introduce trial by jury in India, for this system of trial prevailed in India so early as the Hindu period. The writer notices with regret the invidious distinction which has been made between natives and Europeans in the recent order of Government regarding jury trial.

11. The *Hitavádi*, of the 10th November, says that the English Nawab of Bengal is not the only man who has abolished the jury system with one stroke of his pen. A correspondent of the *Statesman* says that the Chief Commissioner of Assam, too, has curtailed that system in his province by an order dated the 11th October last. Surely India is fallen on evil days.

12. The same paper writes as follows:—
The jury system in Ireland was once abolished, but that was done at a time when the entire population of the country had risen against the landlords, threatening with excommunication all who might pay rent to them. But even then the system was abolished by a Parliamentary Statute and after full discussion, and not, as now in Bengal, with one stroke of the pen, and without notice or warning. Here, in Bengal, we awoke one morning and heard that the jury system was no more. We hastened to see the *Gazette* to know the cause of the abolition, but the *Gazette* said only this that the Lieutenant-Governor was pleased to abolish the system. The Lieutenant-Governors are great men, and can do what they like. But what is sport to them is death to us. Why has Government, we ask, abolished the jury system? The *Hindoo Patriot* has shown by figures compiled from the Bengal Administration Reports for eight successive years that jurors have done pretty well; only 2 per cent. of the verdicts given by juries have been reversed by the High Court, whilst not less than 16 per cent. of the decisions passed by Judges in cases not tried by jury have been set aside by that court on appeal. If, then, the jurors have deserved dismissal, much more so have the judges. But can the Lieutenant-Governor send away the latter in a body from Bengal in one day? He would probably do so if he could. Is it, then, the Lieutenant-Governor's wish to reign unmolested in Bengal, after converting the Law Courts into so many jails by the dismissal of judge and juror alike, and by imprisoning the whole population at the instance of the police? Has Sir Charles Elliott failed to learn anything of the history and institutions of the country by his long residence in India? It was only the other day the English Government introduced its own laws and law courts into this country. And was not justice administered in this country before that? Centuries before the time

BIHAR BANDHU,
Nov. 10th, 1892.

HITAVADI,
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HITAVADI.

when the barons of England asked King John either to grant them jury trial, or to resign his crown, jury trial was in vogue in unhappy India. But such is the irony of fate, that Sir Charles Elliott now declares the Indians unfit to act as jurors. It is said that the Indian Association has wired the news of the abolition of jury trial to England. If this injustice is not remedied under the Ministry of such a lover of freedom, and of such a hater of oppression, as the noble-minded Mr. Gladstone, India must give up all hope of redress.

HITAVADI,
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13. The same paper does not wish to say that the *Englishman* newspaper is a mouthpiece of the present Government of Bengal. Yet must one conclude, from the *Englishman's* taking a brief for Sir Charles Elliott in this

jury question, that it interprets His Honour's views on the subject. Neither the Lieutenant-Governor himself, nor any other person, has assigned any reason for the curtailment of the jury system. Are then the reasons given in the *Englishman* for the curtailment of the jury system the *Englishman's* own reasons, or Sir Charles Elliott's reasons?

The *Englishman's* charge against native jurors is that human life is so sacred in their eyes that they either let off, or convict only of hurt, simple or grievous, persons against whom there is clear evidence of murder, and that they are open to corruption, which is the reason rich men are so seldom punished. But a large number of persons have been, as a matter of fact, transported, on the verdict of native jurors. If, again, convicting of hurt those who have been accused of murder argues a lack of that mental power or strength which jurors ought to possess, it is European jurors more than native jurors who should be held open to this charge. For it is European jurors who as a rule either let off, or declare guilty only of hurt, simple or grievous, Europeans accused of murdering natives, and who thus prove themselves singularly deficient in such mental power. And is the charge of want of mental power fair or proper against a people who can compete successfully with Englishmen in examinations held in Englishmen's own country?

That Judges and jurors should sometimes disagree is no more wonderful than that two Judges, trying the same case together, should disagree on the same evidence. In cases of disagreement between Judge and jury, it is extremely unreasonable to impeach the honesty and judgment of the latter, and to claim absolute infallibility and incorruptibility for the former. The reason of the acquittal of many rich men is to be sought in the skilful defence which their means enable them to secure, and not in the corruption or mental incapacity of the native jurors. And the very fact, that the *Englishman* itself raised funds for the defence of accused Anglo-Indians, shows that it knows the value of money in criminal defences. The *Englishman*, too, is the party which best knows whether it employed that fund for the defence of an Englishman accused of murder, and whether that procured the release of the accused.

"Let a hundred guilty persons escape but let not a single innocent man be punished," is a cardinal maxim of British criminal law. Let Government now disavow that maxim if it wants every accused person, guilty or innocent, to be punished. The Anglo-Indian community is, it would appear, in favour of the jury system. And if the English public in England approves of this curtailment of the system it will be clear proof that England is no longer the great home of liberal political principles.

EDUCATION GAZETTE,
Nov. 11th, 1892.

14. The *Education Gazette*, of the 11th November, says that there is nothing new about what the *Pioneer* newspaper has said in connection with the recent order of Government modifying trial by jury. There is, however, an air of newness about its remark that truthfulness is a scientific virtue. The *Pioneer* means that, as scientific knowledge has not made much progress in this country, its people are not truthful. But this is not at all a correct view of the matter. Men who are really honest and religiously disposed are by nature truthful and require no knowledge of science in order to become truthful. But those who have lost all sense of religion may feel the necessity of science in educating them into a love of truth.

SUDHAKAR,
Nov. 11th, 1892.

15. The *Sudhakar*, of the 11th November, says that it is now clear that Sir Charles Elliott is gradually bringing about the ruin of his subjects. Within the short time he has

Trial by jury.

been ruling Bengal, Sir Charles has startled and terrified his meek subjects by making radical changes in the administration. What an evil moment was that when His Honour ascended the *musnud* of Bengal! What a wonder that, religious, wise, experienced, upright and industrious as he is, he should prove the very reverse of all this to his subjects! From a recent speech of His Honour's, made at Darjeeling, he would appear to be, if anything, a man of a noble mind and capacious heart; but a comparison of his words with his actions fills every man's mind with sorrow and despair.

It is said that the results of the Shambazar riot case and the Dacca bribery case have prejudiced His Honour against trial by jury. If this is true, then the Lieutenant-Governor's action in abolishing jury trial may well fill the public mind with alarm. Does His Honour want his subjects to be ruined by the high-handed police, whose conduct in the Shambazar riot case was really diabolical?

If the Lieutenant-Governor had no faith in the efficacy of the jury system as it was worked during the last 30 years, he should first of all have made stricter rules for the selection of jurors. That the selection of jurors has never been faultless must be admitted by everybody. And it is also a fact that jurors have sometimes accepted bribes. But His Honour should have had no difficulty in checking corruption among jurors and removing other defects of the system. It is obvious, however, that His Honour has not been actuated by any good motive towards his subjects in curtailing trial by jury. The only course now open to the people of Bengal is to make a strong protest against the Lieutenant-Governor's action. His Honour may not listen to their protest, but their protest may reach the ears of the Liberal Ministry in England, and induce them to redress the wrong they have sustained.

The jury question.

16. The *Samay*, of the 11th November, has the following :—

SAMAY,
Nov. 11th, 1892.

Thirty years ago we were fit for the jury system—but the progress we have made in education during these thirty years has made us unfit for it! The thing is, the Lieutenant-Governor is anxious to increase, *ad infinitum*, the powers of the police and the Magistracy, and as the jury system acts like a check upon their power, His Honour has thought fit to curtail it. Why should juries be thought competent to take cognizance of certain offences and incompetent to deal with certain others? It is because cases, falsely set up by the police in the interest of what is called the 'good government' of the country, do not invariably succeed before juries, that jury trial has been abolished in these cases. The police will now be the real governors of the country, and despotic civilians will support the police.

The Lieutenant-Governor should have at least proved his impartiality by abolishing jury trial for Europeans and natives alike. But he has not had the courage to abolish it for Europeans. He can oppress only the weak. But His Honour should know that it is not manliness to oppress the oppressed.

The jury question.

17 The *Sulabh Dainik*, of the 11th November, has the following on the jury question :—

SULABH DAINIK,
Nov. 11th, 1892.

There would have been no harm if, instead of abolishing the jury system altogether, the Lieutenant-Governor had framed stricter rules or regulations for its working. By abolishing the system the Lieutenant-Governor has insulted British law and jurisprudence. So far as the writer knows, the jury system was very helpful in the administration of criminal justice; and no one condemned trial by jury. The Lieutenant-Governor's action in the matter seems to the writer unaccountable. But, like all other men, the Lieutenant-Governor is liable to error, and it is hoped that His Honour will discover the mistake he has made, and put the people of Bengal under obligation by correcting it.

18. Referring to the curtailment of the jury system, the *Darussaltanat* and *Urdu Guide*, of the 11th November, asks—Why

The jury question.
has not Government, instead of simply curtailing the jury system, totally abolished the administration of criminal justice in this country, as it was quite in its power to do? People would have far more liked to be punished according to Government's caprice than upon the results of a trial which will be nothing better than a force.

DARUSSALTANAT
AND URDU GUIDE,
Nov. 11th, 1892.

BANGAVASI
Nov. 12th, 1892.

19. The *Bangavasi*, of the 12th November, says that now-a-days punishments in criminal cases are not awarded according to any fixed standard, but are regulated in consideration of the race and nationality of criminals, and by the will and pleasure of the trying officer. For the same offence one Magistrate awards 4 months' imprisonment, another 6 months', and a third 9 months'. The law provides only a minimum and a maximum limit of punishment for an offence, leaving it to the discretion of the Judge to determine, within those limits, the exact amount of the punishment to be awarded in any particular case and in consideration of its peculiar circumstances. And it is universally admitted that criminal judges differ widely in their determination of the amount of punishment. The writer cannot say whether it is possible to have a uniform standard of punishment, but it is, nevertheless, a fact that the absence of such a standard has led to the anomaly referred to. The discretion which the law gives to judges has been taken advantage of to gratify individual whims. Is there no remedy for this? The only check upon these individual whims was the jury system, and that, too, has now been almost entirely abolished.

BANGAVASI.

The jury system.

20. The same paper has the following in reference to the recent order regarding jury trial :—

We have, of course, no right to ask, nor do we, as a matter of fact, ask the question, why the jury system has been abolished, or why it has been abolished so hurriedly. Who are we—subject-people as we are—to question the propriety of any measure which is adopted by those who govern the country? But, then, our rulers have quite spoilt us by showing us undue indulgence. Though we are a subject-people, our English rulers have taught us to regard ourselves as a free people; have appointed natives to posts in the public service equal in value and dignity to those filled by Englishmen; have thrown us, as it were, into a spell, by whispering in our ears the magic word 'justice,' and have, in short, made not the slightest distinction between us—a subject-people—and their own countrymen. No wonder, then, that we should forget our real condition and learn to regard ourselves as a free people. The abolition of the jury system would not have pained us so much if we had not hitherto received this treatment from our rulers.

SANJIVANI,
Nov. 12th, 1892.

The jury question.

21. The *Sanjivani*, of the 12th November, says that there were convictions in 174 of the cases tried by jury in Nadia from 1886 to the September Sessions of 1892, and that only 4 of these convictions were procured through the intervention of the High Court. This gives a percentage of 2·28 under the head of "Failure of justice in jury trial" in Nadia during the last seven years. And this is a percentage which does not certainly support the inference that jury trial has not been a success in this country. The writer with his poor intellect cannot arrive at this inference from this data, though the Lieutenant-Governor with his very superior intellect seems to do so.

It appears from the figures published by the *Hindoo Patriot* that, in the eight years, from 1883 to 1890, altogether 2,537 cases were tried with the help of jury in the seven jury districts, and that in 2,044 of these cases the Judge completely agreed with the jury, in 273 cases entirely differed from the jury, and in 205 cases partially differed from the jury, and in 15 cases expressed no opinion himself. Of the cases in which the Judge differed from the jury, only 125 were referred to the High Court, and the High Court upheld the verdict of the jury in 47 of these cases, modified their verdict in 3, ordered retrial in 8, and reversed their verdict in 67. In only 67 cases, out of a total of 2,537 cases tried by the jury in eight years, did failure of justice, therefore, occur; or, adding up the number of modified verdicts and those sent back for retrial, there was a total of 78 cases out of 2,537 in which the jury went wrong. The utmost that can be, therefore, said is that there was failure of justice in 3 per cent. of the jury cases tried during the eight years from 1883-90. And will the Lieutenant-Governor say that this is sufficient reason for abolishing the best part of the jury system? The Bengal Administration Report for the year 1890 shows 3,622 appeals against judgments passed by Judges trying without jury, and 609 appeals in which

be original judgments were reversed by the High Court. There is thus a percentage of 16 per annum in which judgments passed by Judges trying without jury were reversed by the High Court. And does not a comparison of the two percentages warrant the inference that the judicial capacity of the jury is greater than that of the Judge in this province? It was the English rulers themselves who, thirty years ago, conferred the privilege of jury trial on the natives. Why, then, does Sir Charles Elliott snatch it from them to-day. Thirty years ago, when the natives of India were still steeped in the darkness of ignorance, the noble English Government thought it right to confer the privilege on them—but now, when Western knowledge and Western education have spread over the whole land—Sir Charles Elliott thinks it right to rob the people of Bengal of their privilege. The Bengalis are to-day fit to be members of the Legislative Councils—fit to be Judges of the High Court—fit for Local Self-Government—but not fit to sit as jurors at the trial of their own countrymen! But all this complaining will, alas, avail nothing!

Government has given its reasons for the abolition of jury trial in the more serious offences. The writer will analyse the opinions which have been collected by Government on the subject. Of the Judges of the High Court, the Chief Justice, and Justices Norris, Ghose, Banerji and Beverley are in favour of jury trial. Justices Ameer Ali and O'Kinealy are against it, and Justices Prinsep, Wilson, Pigot, Macpherson, and Tottenham have pointed out both its merits and defects. According to the Judges of the High Court, then, jury trial has not been so bad as to require abolition. Justice Ameer Ali has admitted that he has had no experience of jury trial as a Judge of the High Court, and that all his experience of the working of the system was acquired while he was an advocate. But everybody knows that Mr. Ameer Ali had never much practice as an advocate, and so his experience of jury trial cannot have been of a kind to command respect.

Of the Divisional Commissioners consulted on the subject, Mr. Smith, of the Presidency Division, has spoken in favour of the system. The Commissioner of the Dacca Division says that jury trial would be a perfect success if there were good Judges to lead the jury, but he adds that he has had very little experience of the working of the system. The Commissioner of the Burdwan Division has expressed no opinion of his own. It is only the Commissioner of the Patna Division who has expressed himself strongly against jury trial. On the whole, then, it cannot be said that the Divisional Commissioners are against the institution.

As for the District and Sessions Judges, three of them are in favour of the system, five against it. It cannot, therefore, be said that the Sessions Judges are unanimous in their condemnation of the system.

22. The same paper asks:—Why has jury trial been abolished from Assam, where it has prevailed for the last 60 years, without any reason being assigned for the abolition? It is said that it is at the instance of the Supreme Government that the jury system has been thus hurriedly abolished from Assam and Bengal. Lord Lansdowne is always heard to profess very liberal principles, but why is His Excellency making this attempt to fetter his subjects in this way?

The curtailment of the jury system has displeased not only the natives, but also the Europeans. The *Madras Times* says that the Defence Association of Calcutta intend to take Sir Charles Elliott to task for this action of his. And some European correspondents of the *Statesman* have already written to say that, if the natives send a petition to Parliament, couched in courteous language, praying for the recall of Sir Charles Elliott, many Europeans will gladly sign it. The writer would advise the native public to adopt this course, and the British Indian Association and the Indian Association ought to take the lead in the matter at once. Despotic as Sir Charles Elliott is growing day by day, who can say what further harm he will do to the people of Bengal if he is allowed to remain in office for his full term?

23. Referring to the case recently tried by the Deputy Magistrate of Kushtia, in the Nadia district, against one Brajendranath Chatterji, M.A., the same paper says that the police, which was the complainant in the case, had 6 witnesses examined on its behalf, and the accused 5 witnesses. All

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A case tried by the Deputy Magistrate of Kushtia.

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the witnesses deposed to the effect that Brajendranath had only advised the subordinate employés of Messrs. Watson & Co. to submit a petition to the *Burra Saheb* of the concern against oppression by the amla and the *tágádgirs*, that the accused did nothing to excite the mob, and that he had no quarrel with the above firm. When the Inspector of police, in the course of his examination and cross-examination, said that Brajendranath's speech was calculated to give offence to the amla and the *tágádgirs*, and lead them to commit a breach of the peace, the Deputy Magistrate remarked that the accused could not well have been prevented from making his speech, seeing that Christian missionaries, whose lectures are calculated to offend the Hindus and lead them to disturb the public peace, are never forbidden to discourse publicly. The case ended there, and the Deputy Magistrate reserved judgment till the next day. The next day, in a crowded court-house, the Deputy Magistrate delivered his judgment:—He said that he believed the statement of the witnesses that Brajendranath had only advised the lower employés of the firm to petition their *Burra Saheb* against their oppression by the amla, and that he had no grudge against the firm of Messrs. Watson & Co. But he added towards the conclusion of his judgment that Brajendranath, though actuated by a good motive, had allowed himself to be drifted into a wrong path. And Brajendranath was therefore bound over in a security for Rs. 500 to keep the peace for one year. The judgment of the Deputy Magistrate reminds the writer of a very funny judgment passed years ago by a Munsif. A case was pending in the court of the Munsif, in which one Mati Babu, a powerful zamindar, was the plaintiff. The Munsif when hearing the case did not notice the fact that the plaintiff, Mati Babu, was no other than the powerful zamindar of the place, and so, dissatisfied as he was with the evidence on the plaintiff's side, he was about to make a decree in favour of the defendant, when the pleader for the plaintiff warned the Munsif by telling him who the plaintiff, Mati Babu was. The Munsif was confounded, and at once reversed his judgment and made a decree in favour of the zamindar. And the Deputy Magistrate's decision in the Kushtia case has been very much like this Munsif's decision.

DACCA PRAKASH,
Nov. 13th, 1892.

24. The *Dacca Prakásh* of the 13th November, has the following on the jury question:—

The jury question.

The jury system exists in all countries and among all peoples. In ancient India the *Prarbibakas* administered justice with the help of respectable men as *sabhasadas* or jurors. Among even the Sonthals and other barbarous peoples, offenders are tried by several people sitting together. This is also the procedure which the very monkeys adopt in trying offenders among themselves. And, according to an English naturalist, even that very minute animal—the ant—is not wholly ignorant of the jury system.

It is very often difficult to determine what is an offence and what is not, the same act being regarded in different lights in different circumstances. This being the case, it is only proper to ask the public, who are most interested in the punishment of criminal offences, to say whether a particular act is, in their opinion, an offence or not, and jurymen are only representatives of the public in this matter. There is abundant evidence to show that a single judge goes wrong oftener than a jury consisting of several men. The judgments delivered in 16 per cent. of the cases tried by Judges without jury have been reversed by the High Court, whereas not more than 2 per cent. of the verdicts of juries have been altered by the same authority. From 1883 to 1890, 2,537 cases have been disposed of by Judges with the help of juries. In 2,044 of these cases the Judges accepted the verdict of the jury, and differed only in 273. Of these 273 cases the High Court rejected the verdict of the jury in only 67, upheld their verdict in 47, and sent back 8 for retrial. It is clear from this that justice is not better administered by a judge sitting singly than by a judge and jury together. Again, it is much easier to win over a Judge by means of a bribe than to win over by the same means a Judge and a jury, consisting of several persons. The writer knows of several Judges who are so completely under the influence of their sarish-tadars and peshkars that they often allow themselves to be guided by them, and these underlings, though in receipt of very poor pay, have therefore been able to make large fortunes. And yet Sir Charles Elliott is trying to curtail this

valuable system of administering justice with the aid of a jury. There can be no greater *zulm* and oppression than this act of His Honour.

25. The *Dainik-o-Sámachár Chandriká*, of the 13th November, has the following :—

The jury question.

The man either tells a falsehood, or ignores a fact, who says that failure of justice often takes place in the trial of native prisoners by a native jury, but not in the trial of Anglo-Indian prisoners by Anglo-Indian jurors. If all the High Court and Sessions Judges were to speak the truth, there would be a clear admission to the effect that Anglo-Indian jurors very often fail in their duty. In Calcutta, Madras, Bombay, and Allahabad the ends of justice are being defeated at every step by Anglo-Indian jurors in the trial of Anglo-Indian prisoners. And who does not know what sort of justice Anglo-Indian jurors deal out to offending tea-planters in Assam ? But all this notwithstanding, the Anglo-Indians are gradually acquiring greater and greater privileges of jury trial, whilst the natives are being deprived of the little they have possessed.

Sir Charles Elliott's manner of dealing with the jury question has been like that of a Judge who first hangs a prisoner and then gives his judgment. Would such a thing have been possible in England ? Would such a thing have been possible if the interests of Anglo-Indians had been in any way affected by the orders which have been passed ? All the arrangements for the abolition of jury trial were made secretly and in silence, and then the jury system was dispatched in one stroke, and it was not till the work of execution was over that reasons were given for the doing of the work. Official opinion on the subject was collected privately, with such secrecy in fact, that Mr. Tweedie did not venture to forward his opinion to Government through his office and in the usual course, but sent it privately direct to Government. No Indian Badshah ever carried so secretly a measure so important as the withdrawal of the jury system. And not even the Czar of Russia dares to do so secretly a thing of such grave importance to his subjects. But the Anglo-Indian rulers of India are more despotic even than any Indian Badshah or the Czar of Russia. If they had been in the habit of treating their Anglo-Indian and native subjects alike, they would not have made the change so silently, but would have first published their reasons for the change, and taken the opinion of their subjects, and then effected such change as they might have thought necessary. But Government is determined not to listen to any protest by its subjects, and it did not therefore consider it necessary to let them know anything about the change before it made it. It will avail little to analyse the opinions which have been submitted to Government by the various officials consulted, for the authorities will not, on any account, be moved by the representations of their subjects, and will not alter an order which they have thought fit to issue. But it is necessary to explain to the people on what grounds Government has effected the change, and that is why the writer will analyse the official opinions which have been received on the subject.

The Chief Justice has given no opinion, good or bad, regarding the jury system, and Mr. Justice Trevelyan, a Barrister-Judge, has followed the same course. Mr. Justice Wilson and Mr. Justice Pigot, who are also Barrister-Judges, have found fault with the system, but have recommended its improvement—not its abolition, total or partial. The Civilian-Judges, Messrs. Prinsep, Macpherson and Tottenham have advised improvement. The Civilian-Judge Mr. Beverly has spoken in favour of jury trial. Justices Ghose and Banerji have also spoken in favour of the system, and have been supported in their opinion by Justice Norris, a Barrister-Judge. The only members of the High Court Bench who have condemned jury trial are Justices Ameer Ali and O'Kinealy. Of the Sessions Judges, the majority have found fault with the system, with the exception of Mr. Crawford of Hooghly, and Mr. Handley of Nadia, who have spoken in its favour. But not even the opponents of the system have advised its abolition. The writer cannot attach any value to the opinions of the Magistrates and Commissioners, for they are as a rule, always known to be opposed to jury trial. Mr. Veasey's condemnation of the jury system need not excite surprise, for it might have been surmised beforehand that the officer, who had always been so anxious to deprive the subjects of all their rights and privileges, would be an enemy of the jury.

DAINIK-O-SAMACHAR
CHANDRIKA,
Nov. 13th, 1892.

system. Government consulted not a small number of its own officers alone, but hundreds of men, on the subject of the Ilbert Bill, and most of the opinions collected were in favour of the Bill. But the Government of Lord Ripon could not still pass the Bill, owing to the strong Anglo-Indian protest against it. And the Ilbert Bill, it should also be noted, was not passed in a hurry, like the jury order.

SAMVAD PRABHAKAR,
Nov. 11th, 1892.

26. The *Samvad Prabhákar*, of the 14th November, says that none among the High Court or Mufassal Judges advised the abolition of the jury system. Some advised changes and others improvement in the working of the system, while many expressed satisfaction with its working. The writer therefore fails to see on what grounds the Lieutenant-Governor has ordered its abolition.

SULABH DAINIK,
Nov. 14th, 1892.

27. It appears to the *Sulabh Dainik*, of the 14th November, from the papers published by Government that not even the staunchest enemy of the jury system advised its abolition. It is for the public to judge, then, why trial by jury has been abolished. The writer will not, however, blame Sir Charles Elliott for its abolition. It is the ill-fate of the Bengalis which has deprived them of the privilege, and Sir Charles Elliott is only the instrument employed by fate to accomplish its purpose.

DAINIK-O-SAMACHAR
CHANDRIKA,
Nov. 14th, 1892.

28. The *Dainik-o-Samachár Chandriká*, of the 14th November, says that Mr. Mathews, officiating Sessions Judge of Burdwan, though admitting want of experience of the working of the jury system, has yet declared that system a failure. The writer also fails to ascertain where Mr. Mathews got the information that jury is a recent institution even in some of the highly civilized States of Europe. Did Mr. Mathews never read Forsyth's book on Jury Trial, or even Stephen's Commentaries. An ordinary cyclopædia would have told Mr. Mathews that jury is not a new institution in any European country. In every European country the system has been in vogue from time immemorial. And Indian authorities like Maine, Malcolm, and Munro have admitted the antiquity of the jury system in India. Did Mr. Mathews never read even Torrens' History? It is in India alone that Government feels no hesitation in accepting the opinions of ignorant officers like Mr. Mathews and to effect important revolutions on their authority.

Mr. Mathews says that, "until such a change takes place in public sentiment as is consistent with the beneficial action of the jury system in the mufassal, I think it would be far better to suppress the institution there altogether." Such advice could have been given only by an ignorant man like Mr. Mathews, and such advice would not have been listened to by the authorities in any other country than India. But here, in Bengal, Sir Charles himself is an enemy of jury trial, and advice, like the above, though coming from an ignorant man, has been much too acceptable to His Honour.

Mr. Mathews says that the failure of the jury system in Bengal has been partly due to "the absence of anything in the Indian mufassal corresponding to the British middle class, from which the bulk of jurors in the United Kingdom are ordinarily drawn." The writer really wonders where Mr. Mathews got the curious information that there is no middle class in the Bengal mufassal. But, with all his ignorance of jury trial in this country and in Europe, Mr. Mathews has said one very right thing, It is that "it was doubtful whether the abolition of the jury system in the districts where it has now existed for many years could be accomplished without exciting a degree of apprehension in the minds of the inhabitants, and a distrust of the motives of Government, which it would be scarcely worth while under all circumstances to provoke." But the present Viceroy of India and the Lieutenant-Governor of Bengal do not fear the people and despise their protests. Their disregard of the Consent Bill agitation has convinced the people of India that, however much they may cry and protest against any action of Government, Government will pay no heed to their representations, and that, in the opinion of the authorities, they are worse than dogs and jackals, nay, are only so many worms and insects.

Mr. Tweedie, Judge of Patna, is not in favour of the jury system, and says that it possesses many defects. He also says that he pointed out many defects in the jury system when he was Judge of Hooghly and Nadia.

Mr. Handley, the present Judge of Nadia, has, however, spoken very highly of the jury system, and has quoted the very favourable opinions passed on the system by Sir Rivers Thompson, Sir W. Herschell and Mr. Macdonell as Judges of the district. Mr. Dickens, too, another Judge of Nadia, did not take an unfavourable view of the system. And Mr. Tweedie himself, when at Nadia, said nothing against the system, though now, as Judge of Patna, he has discovered defects in the system in Nadia. It is strange that Government has thought it proper to accept an opinion expressed by such a man.

Mr. Garrett on the jury ques- 29. The *Dainik o-Samáchár Chandriká*, of the 15th November, has the following :—

Mr. Garrett says that the Western system of trial is unsuited to India, and, therefore, also the jury system. But we may remark here that, since the Western system of trial will always be followed in India, it should be kept intact, and not divested of its chief element—the jury system. That a number of Judges is safer than a single Judge is a principle that has been recognized from very ancient times, and this principle is not peculiar to England. If Mr. Garrett would have the jury system abolished on the ground of its Western origin, he ought for consistency's sake also to insist upon the abolition of English Judges and English Law Courts. That, indeed, will be a consummation that will afford us the greatest delight, and we shall dance for joy when we shall see a Judge like Mr. Garrett leaving the Bench.

Mr. Garrett has instituted a comparison between jurors in England and jurors in India, giving preference to the former for intelligence and obstinacy in holding to their first views or impressions. If Mr. Garrett's view is accepted, not only will the jury system require to be abolished, but speeches and cross-examinations by Counsel and pleader will also have to be put a stop to, and Judges without the gift of eloquence will have to be dismissed, and jurors, one and all, will have to be made obstinate.

An ideal juror is, in Mr. Garrett's opinion, therefore, one who does not change his convictions even if required to do so by new evidence and new arguments; and this must also be Mr. Garrett's notion of an ideal Judge. Is Mr. Garrett himself an ideal Judge like this?

Like many other civilians, Mr. Garrett does not like Counsel and pleader. He seems to be of the same mind with the French Representative who proposed to abolish the office of Counsel by a legislative enactment. Mr. Garrett will now probably make a similar recommendation to Government, for he thinks that an innocent man would prefer being tried by an experienced and impartial Judge, unaided by jury. But Mr. Garrett is himself proof that a Judge may be experienced and impartial, and yet do great mischief by his stupidity.

Mr. Garrett mentions it as a characteristic trait in the character of the Christians of Europe that they think it a duty to expiate blood by blood. But capital sentence has been abolished in some European countries, and most men in America are trying to abolish it among themselves. Capital sentences are still passed in England and France; but they are commuted in 75 cases out of 100. Are not these nations Christians? Mr. Garrett finds fault with native jurors for their unwillingness to see a person hanged without the clearest evidence of guilt. If this be a fault, it may be easily removed, without dealing a blow at the jury system, namely, by empanelling the most hard-hearted butchers as jurors. Mr. Garrett has become, in his old age, a great advocate of morality and righteousness. The man must have received special grace from Christ.

But after giving expression to all these pious sentiments, Mr. Garrett has expressed the hope that native jurors may improve with time, and the fear that the abolition of the jury system in murder cases will give rise to great dissatisfaction, and thus do more harm than good. But the present Badshah of Bengal, Sir Charles Elliot, and the Badshah of that Badshah, Lord Lansdowne, are not at all afraid of popular discontent. They regard the people of this country as worse than worms and insects. They are incarnations of foolhardiness, and they think it cowardice to grant the people their wishes. It is a wonder that they have not been born in the family of the Czar.

30. The *Dainik o-Samáchár Chandriká*, of the 16th November, thus criticises

Mr. Beveridge's letter on the subject of jury trial :—

Messrs. Beveridge and Cameron
on the jury system.

1. According to Mr. Beveridge, Bengali jurors are apt to get terrified by the impassioned appeals

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which are made to them by Barristers and pleaders not to convict a gentleman or one of their countrymen, of an offence which may be punished with death or transportation for life. So, in Mr. Beveridge's opinion, it is Barristers and pleaders who are to blame for failures in jury trial, and Government ought to banish them from the country first. Another fault of the Bengali is that he is a good-natured man. Well, then, take steps to harden his nature. Yet another indictment against a Bengali juror is that he is too much of a sceptic, and is not satisfied about the guilt of the man who happens to be charged with an offence punishable with death or transportation for life, unless the evidence against him is of a most conclusive nature! Yes, this is a grave sin, no doubt!

2. But Mr. Beveridge is clearly of opinion, and he attaches much importance to the fact, that the people of this country look upon the right to be tried by jury as a great political privilege.

3. He is also clearly of opinion that it is the system of jury trial which reconciles the people to their trial by foreigners.

4. According to Mr. Beveridge, it will not do to abolish jury trial in murder and other offences relating to the human body, and to retain it in offences relating to property. If jury trial is at all to be retained, it should be extended rather than curtailed.

But Government has paid no heed to this piece of good advice given by Mr. Beveridge, and yet it has dealt a blow at the jury system in the name of advisers who have given advice like this! Jury trial has been abolished in regard to offences against life, and retained in regard to offences relating to property! Such is the judgment and good sense of the Viceroy and the Lieutenant-Governor, and such is the miserable lot of the people!

5. Mr. Beveridge has advised Government to improve the jury system, to appoint special juries in the mufassal, and to give jurors their travelling expenses. But in utter disregard of these excellent proposals, the Viceroy and the Lieutenant-Governor have laid the axe at the root of jury trial. Everything is possible in India!

6. Mr. Beveridge has also pointed out the propriety of appointing in the mufassal mixed juries, consisting of natives and Europeans, and of taking steps to induce Europeans to learn the language of the country in order that they may serve on juries. But Government has paid no heed to all this, simply because its object is not to improve, but to destroy, the jury system.

Even Mr. Beveridge had no idea that Government would aim so sudden a blow at the jury system. Every one thought that the present rulers of the country were men of the same type as their predecessors, and would act in the same way as they. But Lord Lansdowne is now Viceroy of India and Sir Charles Ellicott is Lieutenant-Governor of Bengal. And these two men are *zulmbaji* incarnate, and greater Czars than even the Czar of Russia.

Mr. Cameron's letter on jury trial is next criticised:—

Mr. Cameron says that his personal experience of the working of the jury system in the district of Dacca has been so far favourable. But his experience is confined to the district of Dacca, where he tried only 21 cases, and the results of the trials, so far as the jury were concerned, were satisfactory to him. If Mr. Cameron had stopped here and said nothing more, he would have gained credit for truthfulness and good sense. But he has not stopped here. He has gone further, and condemned the jury system on the strength of the opinion expressed on the subject by one or two of his predecessors in the office of Judge. But it may be that, at the time of his predecessors, the jury system in the district of Dacca had faults from which it is now free. And if it be so, Mr. Cameron's conclusions in regard to the jury system, on the strength of the opinions of his predecessors, cannot be correct. Mr. Cameron says that he has no experience of any other district than Dacca, and yet he has said, in the concluding part of his letter, that the number of acquittals is larger in the jury than in the non-jury districts. The *Hindoo Patriot*, as well as this paper, has shown that criminal justice is not better administered in the non-jury than in the jury districts. Mr. Cameron admits his ignorance of any other district than Dacca, and yet compares the jury with the non-jury districts! The men who can do this are unfit to act as Judges.

But the present Viceroy of India and the Lieutenant-Governor of Bengal are men who like bad advice coming from men of Mr. Cameron's type. They are not accustomed to listen to good advice. They had made up their minds

beforehand to abolish jury trial, and they consulted the officials on the subject only for form's sake. If they had the desire to arrive at a conclusion in regard to jury trial after impartially examining the opinions collected, they could not have dealt so cruel a blow at the jury system. The present rulers of India are now depriving the people of all their rights.

31. The same paper has the following:—

Government says that, as members of the Police Commission, Raja Peary Mohan and others found that trial by jury was responsible for the acquittal of a large number of offenders, and they accordingly advocated the curtailment of that system of trial and its abolition in murder cases. But if the Raja really expressed this opinion, then he has acted like an enemy of his country. But the *Amrita Bazar Patrika* distinctly says that the Raja said nothing of the kind. The opinion in question was found in Mr. Stevens' report, which was written at a time when the Raja was not a member of the Commission. And when the Raja got a seat on the Commission, Mr. Beames, its President, moved for the rejection of Mr. Stevens' report, and the report was accordingly rejected. This being the case, the question to be asked now is, how came the opinion expressed by Mr. Stevens to be incorporated in the Commissioner's report, and how the report, with Mr. Stevens' opinion in it, came to have the Raja's signature? A grave charge has thus been brought against the Government Secretaries, and Government ought to clear itself.

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(d)—*Education.*

32. The *Education Gazette*, of the 11th November, refers to the recent EDUCATION GAZETTE,
Education Resolution of Government, and writes Nov. 11th, 1892.

Physical exercise by school-boys. as follows:—

The Lieutenant-Governor has remarked in the course of the Resolution that, considering the way in which Bengali boys are taking to foot-ball and other games, the physique of Bengalis will greatly improve after a generation or two. The Lieutenant-Governor seems, therefore, to be of opinion that the present physical deterioration of the Bengalis is due to their neglect of physical exercise in the past. Those, however, who remember how, only a short time ago, every village, nay, every section of a village, in Bengal had its *akra* (place) for physical exercise, where physical training of a superior order to that now imparted to boys in the schools was received by the people, cannot possibly agree in this view. Bihari boys, it is said, do not show so much ardour or success as Bengali boys in foot-ball and other European games. But it would be erroneous to infer from this that Bihari boys neglect physical exercise, for native games are not yet extinct among them. As for the Bengalis, it is in a greater degree their aim in life than it is the aim of the Biharis to please the English, and Bengalis boys thus show greater love for European games than other Indian boys. The same cause, in fact, which makes Bengali boys put on pantaloons instead of dhutis, use soap instead of oil, talk in English instead of in Bengali, and shake a man by the hand instead of doing *namaskara*, makes them so much more ardent lovers of foot-ball and other English games than other Indian boys.

33. A correspondent of the *Samay*, of the 11th November, who has written from Khulna, considers it a matter of

A theatrical performance by Khulna school-boys. wonder that, while such a strong movement has been set on foot for the improvement of school-boy

morality, Mr. B. De, Magistrate of Khulna, should have allowed the school-boys of Khulna to give a theatrical performance at his own residence on the occasion of the birthday anniversary of his son. The Head-Master of the Khulna Zillah School is opposed to theatrical performances by school-boys, but he could not object in this instance, as the performance was to be given in the house of the District Magistrate himself.

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34. A correspondent of the *Sudhákar*, of the 11th November, writing from Tippera, says that, though there is a very competent Muhammadan Assistant Inspector of Schools in the Eastern Circle, the primary education of Muhammadans receives no attention from him, all his time being occupied with matters relating to high and middle education. The fact that

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Muhammadan primary education in Eastern Bengal.

the teachers and munshis of Muhammadan village pathsalas and *maktabas*, are not generally trained men makes it all the more necessary that there should be competent Inspectors over them. But, unfortunately, there are few Muhammadan Sub-Inspectors and inspecting pundits, even in places where Muhammadans form the majority of the population. All the three inspecting pundits in the Brahmanbaria subdivision of the Tippera district are Hindus, though half the population of the subdivision is Hindu and the other half Muhammadan.

BANGAVASI,
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35. The *Bangavasi*, of the 12th November, has the following remarks on the present year's Education Resolution of

The new educational policy of Government:—

Government is seeking slowly to withdraw from the high and middle education of the country, leaving the work entirely to missionary and other private enterprise, and is most anxious to encourage primary and female education with all the money at its disposal. Government has no doubt, a 'policy' to carry out in doing this. The upper classes of the people have imbibed a sufficient desire for high and middle education to gratify their thirst after it at any cost, and without help from Government, and the supervision of such education is all that Government is now required to keep in its own hand. But Hindu women have not yet become equally fond of English education, nor have the cultivating classes yet had a sufficient taste of the thing. And it has therefore become necessary for Government to make the education of Hindu women and Hindu peasants the chief aim of its educational policy. That this new educational policy will be given effect to is certain, for Government never stops short of what it has set its heart upon. English education must be made use of to convert every Hindu wife into a quasi-lady, and to induce every peasant boy to sell his plough and cattle in order to buy himself a *chapkan*. Government has already manufactured 'Babus' by the thousand, and has had bother, pure and simple, for itself for so doing. And yet it seems not unwilling to extend the manufacture till it has filled the land with *Kala Sahebs*.

DAINIK-O-SAMACHAR
CHANDRIKA,
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36. The *Dainik o-Samachár Chandriká*, of the 14th November, says that Sir Charles Elliott has proposed to withdraw Government aid to the Calcutta primary pathsalas.

Government aid from the primary pathsalas in Calcutta, making the Calcutta Municipality grant aid to them. The Czar's *ukase* must be obeyed. But the Calcutta Municipality is unwilling to agree to this arrangement. Here is a test for Local Self-Government.

37. The same paper says that it cannot detect any improvement in school-boy morality, though in the Education Higher training of school-boys. Report for the last year Mr. Risley's scheme for higher training is said to have worked very well, and to have given satisfaction to Mr. Tawney and to the Lieutenant-Governor.

(e)—Local Self-Government and Municipal Administration.

ULUBERIA DARPARAN,
Oct. 30th, 1892.

The last Local Board elections in Ulubaria.

38. The *Ulubaria Darpan*, of the 30th October, says that the gathering of voters at the last election of the Ulubaria Local Board was very small. When the Board was first established, the thought of being able to manage their own local affairs and to attend to their wants in the matter of roads, &c., filled the educated people of the locality with delight, and they took great interest in its affairs. But they have since found out that the Board is a farce, and Government has no mind to entrust them with the management of their affairs. The Chairman of the Local Board has not power to spend even Rs. 10 without the permission of the District Board. The Local Board recommends to the District Board, say, 10 roads for repair, but the District Board sanctions the repair of only 4. All this has taken away the people's ardour and enthusiasm in the affairs of the Local Board.

SAHACHAR,
Nov. 9th, 1892.

The Cossipore-Chitpore and Maniktala Municipalities.

39. The *Sahachar*, of the 9th November, asks, who is responsible for the delay that has taken place in appointing Government nominees to the Municipal Boards of Cossipore-Chitpore and Maniktala. The old Commissioners

ceased to exercise authority in February last, and there have been no Chairmen or Vice-Chairmen in those Municipalities up to this time. How has the work of the municipalities gone on during these months? Government does not know how to manage its own business, but it threatens the people with a more rigorous Municipal Act if they are found guilty of the slightest negligence in the management of municipal affairs.

40. A correspondent of the *Hitavadi*, of the 10th November, requests the authorities of the North Dum-Dum Municipality to give up their project of spending Rs. 1,500 in the construction of a municipal office building at a time

The North Dum-Dum Municipality.
when the annual expenditure of the municipality exceeds its annual income by nearly Rs. 500, and when there is great scarcity of water within the municipal area. The municipal office may be located, as heretofore, at the Chairman's house, or in a house rented for Rs. 3 or Rs. 4 per month, as in the Baranagar, Cossipore, and South Dum-Dum Municipalities, and the money that is now proposed to be spent in the construction of a municipal office building may be better spent in the excavation of tanks.

HITAVADI,
Nov. 10th, 1892.

(f)—*Questions affecting the land.*

41. The *Bangavasi*, of the 12th November, says that of late the authorities
The Assam land revenue ques. seem to have become rather fond of high-handedness.

One instance of this will be found in the haste with which Mr. Ward, Chief Commissioner of Assam, is going to pass the rules for the enhancement of the land revenue in his province, and in his refusal to accede to the prayer of his people for extending the time granted to them to consider the proposed rules. The writer fails to see the necessity of this reckless haste, when no formidable disaster is likely to befall the empire if the passing of the rules is postponed for a fortnight or a month. The Chief Commissioner, it is certain, will make the proposed enhancement if it has appeared to him necessary, but why should he not listen to the cries and representations of the people? The faith of the people in the uprightness of the British Government is likely to be shaken by such hasty action on the part of its officers.

42. The *Sangivani*, of the 12th November, says that for two reasons the
The Assam land revenue ques. Government of India ought to interfere with the proposed enhancement of the land revenue in

Assam. First, the proportion of the land under cultivation in Assam to the whole cultivable land in the province is so small, that the Assamese have to depend to a great extent on imported grain for sustenance. Mr. Ward's proposal to double the land revenue will be a fatal check upon the enterprise of the Assam people in the way of bringing fresh land under cultivation. In the second place, the comparatively low land revenue in Assam has been, up to this time, an inducement to tea-garden coolies and other people from Bengal to give up their idea of returning to their habitations in the congested Bengal and Bihar districts, and to settle permanently in Assam. This is advantageous both to Bengal and to Assam, but this practice will certainly be discontinued if the Assam land revenue is increased in the manner proposed. Both the Government of Bengal and the Government of India, who are anxious that the population of the congested Bengal and Bihar districts should migrate, and who actually send emigrants to Natal, should at once overrule the proposals of Mr. Ward. Why should Bengalis and Biharis be made to go to Natal when such large tracts of cultivable land are available in Assam? If the Government of India does not see its way to veto the proposals of Mr. Ward, migration to Assam will at once cease.

The writer next refers to the undue haste with which the Chief Commissioner proposes to pass the enhancement rules. The tea planters of Assam petitioned him for a little more time for considering the draft rules, but have been told that the passing of the rules can not be deferred beyond the appointed time, though the Chief Commissioner will take all representations on the subject of these rules into his consideration, even if such representations are made after the rules have been passed. But the writer is unable to understand what the reply really means.

BANGAVASI,
Nov. 12th, 1892.

SANJIVANI,
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(g)—Railways and communications including canals and irrigation.

A road in the Nadia district. 43. The *Hitakari*, of the 25th September, draws attention to the dilapidated condition of the road from Halsa to Gosain-Durgapur, under the Kushtia Local Board, in the Nadia district, and says that Rs. 80 only was sanctioned for the repair of the road this year. The writer cannot, however, say how this money has been spent, for, besides the addition of a little earth, which did not certainly cost Rs. 80, the road has undergone no further repair.

BURDWAN SANJIVANI,
Nov. 8th, 1892.

A road in the Burdwan district. 44. The *Burdwan Sanjivani*, of the 8th November, says that the portion of the road from Memari to Ahmedpur in the Burdwan district which passes through the village of Bamunpara has been in a dilapidated condition since the water of the canal flooded it. The level of the road should be raised, and a bridge constructed over the canal at this point.

(h)—General.

HITAVADI,
Nov. 10th, 1892.

Figures relating to native shipmen. 45. The *Hitavadi*, of the 10th November, says that it appears from the figures published by the Government Shipping Office that not less than 14,234 Indians took employment last year in ships that arrived in this country. But it is impossible to ascertain from the papers which have been published how many of these were Hindus and how many Mussulmans. Will Government, in publishing the figures next time, give separate information for each Indian community?

BHARAT MITRA,
Nov. 10th, 1892.

Official tours. 46. The *Bharat Mitra*, of the 10th November, says that the official tours which are now so often undertaken do no good to the people, whilst they entail much hardship on them, by obliging them to procure supplies of food, &c., under orders from the servants of the touring officers.

SAMAY,
Nov. 11th, 1892.

The Income-tax Resolution for 1891-92. 47. The *Samay*, of the 11th November, has the following remarks on the Government Resolution on the income-tax report for 1891-92:—

- (1) The Lieutenant-Governor says that in nearly every district objections against the assessor's assessments have been disposed of by the income-tax Deputy Collectors with care and intelligence. But every man, who has had to prefer such an objection, knows a little too well with what "care and intelligence" such objections have been disposed of. In many cases the assessments, as finally determined, completely ruined the assessee, and where assessee were not easily silenced they were harassed by postponements. And the sort of justice that could be expected to have been done to the assessee by the Deputy Collectors should be clear from the fact that in every instance these Deputy Collectors consulted with the assessors themselves before hearing the objections of the assessee.
- (2) The Lieutenant-Governor is glad that there were fewer objections than before. But considering how objections are heard, the wonder is that they are preferred at all. The decrease is explained by the fact that assessee seldom benefit by these appeals.
- (3) Native traders and shop-keepers, who seldom keep correct accounts of their transactions, are generally very highly assessed. Naku Babu, a well-known assessor, has been heard to say that every shop-keeper in China Bazar and Murgihata in Calcutta, makes a profit of 25 per cent., and should be assessed accordingly. No such oppression, however, is committed on European traders who are assessed according to the declarations they themselves make of their income. And it is no wonder that it should be so, for the slightest oppression of a European trader is a thing that must shake the very throne of the Viceroy. Every native trader should take a European partner in his firm, in order to prevent his oppression by the income-tax assessor.

48. The *Sanjivani*, of the 12th November, says that Mr. Luttman

Mr. Luttman-Johnson as Officiating Commissioner of the Dacca Division. Johnson acquired a good name in Assam, and it must be said to his credit that he has kept up that good name in Bengal, since his appointment as

Officiating Commissioner of the Dacca Division. He is showing great anxiety to collect correct information regarding the distress in Mymensingh. It is also to be hoped that, under his able administration, the high-handedness of the Dacca officials will be effectually checked.

49. The same paper is not surprised that Mr. K. G. Gupta, late Magistrate

Addresses, &c., to public servants. of Nadia, has been called upon by Sir Charles Elliott to explain why he allowed a meeting to be held in his honour by the people of the district on

the eve of his departure from Nadia. And it is likely that it was Mr. Gupta's case which recently led Government to publish a Resolution on the subject of the acceptance of addresses, &c., by public servants. But will Sir Charles Elliott call for similar explanations from the European officials who are similarly entertained? The rules regarding addresses, &c., to public servants do not, however, apply to the Governor-General or to the head of any local administration. But who does not feel annoyed to see thousands of rupees wasted on the entertainment of the Governor-General or of a Provincial Governor when famine stares the people in the face?

50. The *Dainik-o-Samachar Chandrika*, of the 14th November, asks if

Entertainments, &c., to public servants. the entertainment given to Mr. K. G. Gupta by Babu Nafar Chandra Pal Chaudhuri of Nadia is the cause of the republication by the Government

of Bengal of the India Government's orders regarding entertainments to public servants. The writer has heard that Mr. Gupta has been called upon to explain his conduct in attending the entertainment in violation of the standing orders of Government. But why should not a native civilian be allowed to be entertained by the natives, when no objection is taken to the entertainment of a European civilian by the indigo planters?

51. The *Sulabh Dainik* of the 17th November, condemns the manner

Assessment of the income-tax. in which the income-tax is assessed. By requiring people to produce their account books to be

scrutinized by the assessors, Government is depriving them of their *ijjut*. The *sastras* require all Hindus to keep every information regarding their age, wealth, family secrets, *ishta mantra* (spiritual formulas) *tapa* (austerities) charities, medicines (which they may be using for the time being) and the reverses (which they may have sustained) strictly secret. And by being obliged to disobey this injunction of the *sastras* in one important particular, the Hindus are acquiring religious demerit, and Government which has brought them to this pass may be justly charged with interfering with their religion in contravention of the Queen's Proclamation requiring every one of its officers to observe strict neutrality in matters religious.

V.—PROSPECTS OF THE CROPS AND CONDITION OF THE PEOPLE.

52. Chandra Nath Sarma writing in the *Hitavadi*, of the 10th November,

Government relief in the Midnapore district. says that the rigorous rule, that those adults alone who can dig 100 cubic feet of earth shall be entitled to receive a daily allowance of six pice, is

keeping away people from the relief work lately opened in the Dantan thana in the Midnapore district. For the work is so large that distressed people, enfeebled as they are by starvation, cannot get through it. And it will be a fatal thing for the district if people's keeping away from the work leads Government to the conclusion that there is no distress in the district and no relief is therefore needed. The District Board's grant of Rs. 50,000 has not yet been employed in relief work. The rich people of the district should attend to the relief of the people and exportation of paddy and rice should stop.

53. A correspondent of the *Samay*, of the 11th November, writing from

Distress in the Mymensingh and Dacca districts. Atia in the Mymensingh district reports severe distress in that place, and says that a Muhammadan of Baliati in the Manikganj sub-division of the

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HITAVADI,
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Dacca district lately hanged himself for being unable to procure food for himself and family. Balai Shekh of Bhájnai in Atia lived for three days on greens and leaves of trees, but died on the fourth day, and a large number of children died of starvation in village Karara near Bandyakáwál Jáni, as their widowed mothers failed to give them sufficient food. The poor Muhammadan widows of the village Khail Sindur are living on juice extracted from the plaintain tree. This is the first time that such severe distress has prevailed in Atia.

BANGAVASI,
Nov. 12th, 1892.

Reports of crops and distress.

54. The *Bangavasi*, of the 12th November, has the following :—

(1) The crops in Begumganj in the Noakhali district suffered greatly from drought in the months of Sravan and Bhadra, and are now suffering from the effects of excessive rainfall. In this way about a six anna amount of the crop has been destroyed, and the *rabi* crop could not even be sown on account of the heavy rains. The people are in great distress as they had not a good harvest last year too. Paddy is selling at sixteen seers per rupee, and rice at Rs. 4.8 to Rs. 4.12 per maund. A few days ago rice sold at Rs. 5.12 per maund. The District Board should at once undertake the excavation of a canal from Begumganj to Naodáná, as the work will afford relief to many. Cases of cholera are also taking place here and there.

(2) There has been no sowing in Hárada and several adjoining villages within the jurisdiction of the Binpur thána in the Midnapore district. These villages do not depend for their water on rainfall, but get their supply for cultivation purposes from the Mohanpur *bund* which is about 3 miles south-west of Harada. In the present year there was very little flood on the *bund*, and the little water that overflowed was intercepted on its way by the people of the village Kanko. The people of the villages referred to submitted a petition to the Collector to make some arrangement for supplying them with water necessary for the purposes of cultivation. But no reply has been obtained. In the meantime the people are in great distress.

(3) There has been no sowing of the *chhotna* crop in Kumra in the Khulna district, and almost all the *aus* crop is withered for want of rain. The prospects of the *Baran* and *Bhetee* crops were rather hopeful, but the salt water floods in the month of Bhadra wholly destroyed them. The only resource of the peasantry, under these circumstances, was the yield of the *rabi* and date crops. But the recent rain has considerably damaged even these. Paddy is selling at half a maund per rupee, and rice at eight seers per rupee, and famine has been prevented only by the importation of rice from Barisál, Jhalokati and Nalhati. The middle class people are selling off their cattle and domestic articles and are sometimes procuring money by mortgaging their lands. But things cannot go on in this way for more than a month or two. Already two women have died of starvation within the jurisdiction of the Kaliganj thána. The salt water floods destroyed all the standing crops within the jurisdiction of the Asasuni and Kaligang thánas and considerably damaged those within the jurisdiction of the Satkhira and Magura thánas. The outlook is very gloomy.

SANJIVANI,
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55. The *Sanjivani*, of the 12th November, says that in consequence of help given by the rich and kind people of Mymensingh, the distress in that district has much abated. The outlook is rather hopeful now that the crops are about to be reaped.

BANKURA DARPAN,
Nov. 15th, 1892.

56. The *Bankura-Darpan*, of the 15th November, says that the late rainfall in the district of Bankura has done much good to the later sowings, but has greatly injured the better sort of paddy.

The statement in the *Calcutta Gazette* that the rainfall has injured only two annas of the better sort of paddy is not correct, for the agriculturists say that the injury extended to four annas of the total crop. About a fourth part of the arable land in the district remains uncultivated. Of the remaining 12 annas of the land, there has been a tolerably good crop on six annas, whilst the remaining six annas will not yield more than a four-anna crop. Thus it is clear that the outturn this year will not exceed four annas.

The statement in the *Calcutta Gazette* that the outturn will be eight annas cannot be believed.

Pitamvar Ray and 12 other men of the village of Chandkundi, who were sentenced to seven days' imprisonment for having stolen paddy from a field, said in their evidence that they were compelled to do so after three days' fast and in order to keep their children alive.

Braja Dutt and several other people of the village of Panchmura were returning home with paddy purchased at Balarigram. Near the Daldere jungle, their paddy was looted by about 50 to 60 *chuars*. 13 men of Ramgar have been sent up by the police in connection with the affair.

On the night of the 29th Kartik last, some labourers attempted to steal paddy from a field near the village of Kherosol. The owners of the paddy chased the thieves, and in the affray which followed one man died, and another man was seriously wounded. Do not all these prove the existence of scarcity in the district? As there is no hope of Government's coming to the relief of the distressed, the rich people of Bankura should come to their aid. When the Lieutenant-Governor came to Bankura, he gave some hope in connection with the *Subhankari danra* at Sonamukhi. If the Magistrate takes up that work now, he will be blessed by the poor people of the district.

VI.—MISCELLANEOUS.

Causes of the distress in Mymensingh.

Mymensingh:—

- (1) Extensive cultivation of jute.
- (2) Export of rice.
- (3) Refusal of the money-lenders to lend money.
- (4) Increasing addiction to drinking.
- (5) Increase in the number of prostitutes in the town and suburbs, offering strong temptation to people to squander money in debauchery.

The time and its requirements.

the following:—

No other people in the world are pleased so easily and are satisfied with so little as the people of India. A person may to-day commit fearful oppression on the Indians, but if the oppressor treats them the very next day to a few kind words, they are pleased and forget his oppression. They must, therefore, be the most miserable among men who knowingly and deliberately oppress a people so amiable and well-behaved as the Indians. But an important question has now presented itself for the consideration of the people of this country. Ages ago, when sea-voyages were discontinued amongst the Hindus, they decided upon cutting off all intercourse with foreigners and living in peace within their own country. But did that decision of theirs enable them to enjoy peace? No. A succession of barbarian hordes, Afghan, Tartar, Moghul, crossed the Indus and entering into the plains of India pillaged the country, desecrated its temples, and burnt down its towns and villages. The Hindu's only concern at that time was for his religion, and he looked upon life in this world as a period of probation and preparation for the life to come; and his religious teachers then taught the doctrine that it was not for the Hindu to see who enjoyed or exercised political power in his country, and that he should be content if he was only permitted to till the soil and follow his own religion. But not even that desire was fulfilled. Alamgir demolished the temple of Bishweswar at Benares, and erected a mosque on the site where stood one of the most celebrated of Hindu temples. But so forbearing is the Hindu, that the Mahrattas did not lay violent hands on that musjid even when they overthrew the Moghul Empire and captured the Moghul Emperor; for religious retaliation is no part of the Hindu's nature, and his past wrongs he did not remember in the hour of his triumph. But such is the world that conduct like this will no longer do.

The whole country knows what sort of a man Mr. Phillips, the Magistrate of Mymensingh, is. And yet it is stated in the papers that the people are expressing their gratitude to Mr. Phillips for the relief he is granting to the famine-stricken in that district. There could not be much room for comment if people had contented themselves with simply expressing their gratitude to that officer; for every man ought to be given his due. But it is not proper to go beyond this. We must now shape our conduct according

CHARUVARTA,
Nov. 7th, 1892.

SAHACHAR,
Nov. 9th, 1892.

to the example which is furnished to us by the Europeans. A European officer has set his heart upon an object and humours you and gets his object accomplished by you. But shew a little regard for your interest, and you will find the same officer a very different man. Sir Charles Elliott is honouring even boys with invitations, and showing them great attention. And you think what a friend you have got in your Lieutenant-Governor! But jury trial is to be abolished—the municipalities have to be attacked—and, on the plea of improving the condition of the village chaukidar, an immemorial right of the people is to be destroyed! You may get up as many entertainments as you like, and indulge in sweet words to your heart's content, but Sir Charles Elliott is not the man to be wheedled out of his purpose. Again, see how the European nations are behaving towards each other. Whilst sovereign is embracing sovereign with affection and cordiality, their attendants are taking sketches of fortifications, and making estimates of the strength and condition of armies, in other words, are devising the means which would enable them, should occasion arise, to plunge the knife at the right place. We ask our countrymen to take note of these things. It now behoves them to shape their conduct according to the ways of the world and the condition of their country. Do not open your heart to him who has once lost your confidence. Your talk about matters affecting your national rights should not be allowed to reach other ears. What makes you honour that man to-day who wronged you so grievously only yesterday? As matters now stand, this is unspeakable silliness. Sweet words should be returned for sweet words. But do not forget your own interests. Do not allow yourselves to be humoured by anybody into showing respect to the man who has injured your country. The utmost that you should do in such cases is showing English courtesy. Many take advantage of our quiet and inoffensive nature, but do not give them that advantage any longer. Nothing should make you give up what you believe to be your interest, and you should know that trusting a man who is injuring you is as dangerous as hugging a serpent to your breast.

DAINIK-O-SAMACHAR
CHANDRIKA,
Nov. 10th, 1892.

59. The *Dainik-o-Samachar Chandriká*, of the 10th November, says that the rumour that Sir Charles Elliott will go home on leave has proceeded from the imagination of those who wish to see him off. But Sir Charles will not leave Bengal before he has done an enormous amount of mischief.

60. The *Samay*, of the 11th November, says that a single year's failure of crops in England has created quite a tumult in that country, but the distress of the people of India, owing to bad harvests for a succession of years, has failed to rouse the Government in this country. Such is the difference between a free and a subject people

SAMAY,
Nov. 11th, 1892.

61. The *Bangavási*, of the 12th November, has the following :— Unless we ourselves become good, the English Government cannot possibly make us good. But

though we profess a desire to be good, and also wish that others should give us credit for being good, still we lack the essential qualifications required to attain this object. Now if a man wants to become good, he must love his own self, his own people, and his own social customs and observances. Do we do this? Do we, because we love our own selves, also love our own country—this unfortunate Bengal—long trampled upon by foreigners, love that small obscure village where we were born, and love our own religion and social customs and observances? How can we be said to love ourselves if we do not love these? How can that man, who, though born in Bengal and of Bengali parents, feels ashamed to call himself a Bengali, feels it beneath his dignity to live in Bengal, and thinks it an infliction to have to speak in Bengali, be said to love himself, even if he be possessed of a hundred other virtues? Can the man who holds his parents in contempt, as barbarous superstitious creatures, love his own self and seek his own true welfare? The man does not certainly love himself whose education has only taught him to discard everything as contemptible which has come down to him from his ancestors.

Love is a most difficult thing. It makes the man who owns its influence forget everything else, ay, all this wide world, for the sake of the thing

he loves. The loved one may commit a thousand faults, but the lover does not see them. The thing loved may be a mass of ugliness and deformity, but in the lover's eye all that ugliness and deformity is beauty itself. The object of love may be a thing or person steeped in barbarism; but to the lover, the loved is all polish and refinement. In the eye of the lover prejudice and superstition in the loved one appear enlightenment, and even acts that are hateful appear estimable. Love sees no fault, takes no offence, and knows no anger. The loved is perfection itself and is the source of full and perfect happiness. If therefore, anybody really loves or knows how to love himself, he cannot possibly hate, condemn, or discard anything which is his own.

But so perverted are the Babus who have received English education that they can discard everybody and everything their own, and yet love themselves; they can discard everything which is of this country, and yet love this country and seek its improvement! In their eyes, everything of their own people is bad, everything of their own country is bad; and yet they love their own selves and country! Strange inconsistency! And yet so unlucky are we that we must see this inconsistency always and everywhere.

The man who does not love his own self is wanting in self-respect, and why should others respect him who does not respect himself? Every man's honour in his own keeping, is a common saying. Why should others therefore honour him who does not honour himself? The fact is, we have no sense of self-respect and do not know how to maintain our own honour; and that is why we are being harassed and insulted at every step. We have ourselves to thank for this.

You are a Brahman, but you have acquired a smattering of English, and have therefore given up your *brahmacharyya* (the Brahmanic self-denial and discipline) and betaken yourself to service. You draw a fat salary, and how proud you are that your salary is so fat. You have lost your self-respect and given yourself up to license and *mlechchha* living. You seem elated if you are treated to the leavings of a Christian's dinner, and the water with which a Mussalman has washed his feet is perhaps now used by you to wash your head. But hypocrite and coward and disgrace of your race as you are, you have not yet been able to completely break with your social customs and family traditions. You wish to perform the ceremony of your son's *upanayan* (investiture with the holy thread) and you apply to the authorities for leave of absence. But they know your ways and manners, and refuse your application. You then raise a clamour. But ought you to do so? You are a Hindu, a Sudra, and having received English education you have become a very big man. You do not now bow your head before the images of your Gods or before Brahmans, for you think that bowing in this way is beneath your dignity and will show your superstition. But you enter into the room of your *mlechchha* master every day and bow your head at his feet, and if you have not been able to do your work well, how piteously you implore his forgiveness with joined hands! But if at any time your master kicks you with boots on in the presence of a dozen men what a fuss and clamour you make! Can such clamour and agitation ever bear fruit? What agitations and memorials have you not made on a vast variety of questions. But how many of such agitations and memorials have borne fruit? But it is a fact that formerly such agitations and memorials did not go wholly unsuccessful. In those days the rulers had not taken the full measure of your worthlessness and want of self-knowledge, and therefore it was that they showed you honour though you did not know how to consult your own. But with the lapse of time the measure of your humiliation is increasing. You blame Government for this. Of course Government is partially to blame for it, but it is you yourselves who are principally responsible for the result. If you had been men, if you had known how to conduct yourselves with dignity, if you had been able to give a lesson to your rulers now and then by giving proofs of self-respect, you would have been spared the harassment and the humiliation which you now suffer at every step, and saved from the misery and degradation which have now befallen you. It is now therefore your duty to learn self-respect.

62. The same paper has learnt that cholera is raging violently in Pansa, Maurat and the villages near them in the Faridpur district. Many people are dying for want

of proper medical treatment. Four or five deaths are daily taking place in every village affected by the disease. The attention of the authorities is invited to the sufferings of the people.

63. The same paper has the following:—

BANGAVASI,
Nov. 12th, 1892.

Englishmen say that they have come to India, and are living in India for the purpose of delivering the Indians. We had not, however, so long any idea as to how this 'deliverance' was intended to be effected. But Sir Charles Elliott has now told us that "the true elevation and development of the people lies in the evangelization of India," and that the Christian Missionary is the Englishman's chief co-adjutor in this work. We should say nothing against what the Lieutenant-Governor thinks fit to say in a matter of this kind. But will the people of India be very much to blame if they say after this that the authorities want to interfere with their religion?

BANGAVASI.

64. The same paper says that at the mere indication of distress among the peasantry in England the whole of that country is quite in a ferment, and a meeting has been proposed to be held on the 7th December next, to consider preventive measures, and Parliament itself is likely to be shaken to its foundations over this matter. And well may this be; for England is a free country. But India is a subject country, and in India, therefore, nothing has been done though actual distress prevails among the people.

SANJIVANI,
Nov. 12th, 1892.

65. The *Sanjivani*, of the 12th November, says that harassed as the Bengalis have been by Sir Charles Elliott, they will be very glad if his Honour does them the favour of going to his own country for a few months as the *Hindoo Patriot* says that he thinks of doing. March and April are generally very hot months in this country, and a stay in England during these months may do his health much good.

BENGALI TRANSLATOR'S OFFICE,
The 19th November 1892.

CHUNDER NATH BOSE,

Bengali Translator.